

R2PCS Listserv

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Responsibility to Protect Engaging Civil Society

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In this Edition: [First meeting of Ban Ki Moon and Security Council; R2P raised, R2P and Darfur]

I. Ban Ki Moon and R2P

1. REMARKS OF SECRETARY-GENERAL BAN KI-MOON TO SECURITY COUNCIL
2. A NEW MOON
3. MISSION IMPOSSIBLE

II. R2P and Darfur

1. DARFUR AND THE INTERNATIONAL ABANDONMENT OF A RESPONSIBILITY TO PROTECT

I. Ban Ki Moon and R2P

1. REMARKS OF SECRETARY-GENERAL BAN KI-MOON TO SECURITY COUNCIL

United Nations

8 January 2006

On Monday, January 8, 2006, the Security Council met to discuss Threats to International Peace and Security. Presiding over the meeting was Ambassador Churkin of Russian Federation, who is President of the Council for the month of January.

Secretary-General Ban Ki-moon addressed the Security Council for the first time in his new position. In his opening statement to the Council, Ban Ki-moon thanked the President and the members of the Council, and said look forward to working closely with the Security Council to ensure that the organization lives up to the considerable expectations that the international community places on us.

He also said, have listened carefully to members of the Council in their interventions on this important subject, which is after all the primary responsibility under the Charter. I observe also that members of the Council are united and speak with one voice on the need to view conflict management in a holistic manner - prevention, peacekeeping and peacebuilding. There is also unity among Council members with regard to the need to address conflict in a comprehensive manner with development and human rights issues being accorded their proper priority.()

Over the past years, the United Nations has sought to strengthen the three pillars of this

institution -- those of security, development and human rights, all underpinned by the rule of law -- in order to build a more peaceful, more prosperous and more just world for succeeding generations. We have important achievements to build on, from the Peacebuilding Commission to the Human Rights Council and the Global Counter-Terrorism Strategy, as well as the **Responsibility to Protect**

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Full text of the SGs talk is available at: <http://www.un.org/News/Press/docs//2007/sgsm10833.doc.htm>

The Ambassadors of France, Slovakia, Belgium, and Peru discussed responsibility to protect in their statements. Below are excerpts from each of their speeches. In addition, France, the United Kingdom, Congo, the United States, Russia, and the SG mentioned Darfur, and the government of Ghana mentioned the importance of focusing on prevention of genocide and ethnic cleansing.

Mr. Lacroix, the Ambassador of France, stated:

We must not also forget that peace and security also entail combating poverty, pandemics, corruption, as well as protecting human rights and fighting impunity. For justice is a precondition for peace. In that regard, the International Criminal Court will be an essential tool in the future. The challenges we must overcome are daunting. Unfortunately, the work before us continues to be enormous. Thus we must continue our joint efforts to further improve the effectiveness of our actions. That is incumbent upon us all, as is the **responsibility to protect**.

Mr. Burian, Ambassador of Slovakia, stated:

As part of the Council's preventive diplomacy, in accordance with the 2005 World Summit Outcome Document and Security Council resolution 1625 (2005), we believe that the Council needs to do more in such areas as the protection of civilians, including women and children, in military conflicts. We must do everything to prevent another Rwanda or Srebrenica from happening again. In that regard, we fully endorse the concept of **responsibility to protect** adopted by our heads of State and Government in September 2005. Furthermore, we hope to be able to rely on receiving more regular and more analytical reports from the Secretary-General on regions of potential armed conflict. The good offices of the Secretary-General will certainly continue to be an indispensable tool.

Mr. Verbeke, Ambassador of Belgium, stated:

It is essential that, above and beyond pre-established and often reductionist approaches, we recognize that, at the end of the day, it is the security of men, women, and children that is at stake. That is why Belgium welcomes the increased attention that the Security Council is giving to the protection of civilians -- particularly that of women, children and other vulnerable groups -- in armed conflict. The relevant resolutions aimed at the protection of civilians must be effectively implemented.

In this regard, Belgium would also like to emphasize the importance of ensuring the close monitoring and rigorous implementation of arms embargoes in conflict areas. Indeed, we all know that it is first and foremost civilians who are the victims of lack of compliance with such embargoes and, in particular, of the abuse of small arms and light weapons.

In this context, I would like to refer to the principle of the **responsibility to protect**, which was enshrined during the 2005 Summit and which has since been taken up in numerous resolutions. Belgium is fully aware that the operationalization of that principle will require in-depth and

prudent reflection. We nonetheless believe that the principle will henceforth be part of the conceptual acquis of the work of the Security Council.

Mr. Voto-Bernales, Ambassador of Peru, stated:

he threat of the recurrence of genocide, war crimes, ethnic cleansing and crimes against humanity has sharpened our resolve to recognize that we have a **responsibility to protect** people from such scourges. Thus States Members of the United Nations, including Council members, must be vigilant in order to fulfill our mandate to protect peoples when the State concerned is unable to do so or unwilling to comply with its obligations.

Many thanks to **R2PCS** intern Laura Erstad for covering this event.

2. A NEW MOON

The Times

6 January 2007

The new UN Secretary-General must confront thorny old issues

Shortly before starting the job he campaigned so hard to get, Ban Ki Moon visited the UN Secretary-Generals offices. How, he asked, did the day begin? At 9am, he was told, when the SG met his close advisers. He asked: why not at 8? Long hours do not guarantee efficiency, but the message that maximum effort will be required of all UN staff is no bad way to revolutionise a closed and defensive bureaucratic culture, riddled with time-servers resistant to change. To avoid being charged with lack of leadership, Mr Ban will also need some early diplomatic successes, and they are unlikely to come in North Korea or Iran. Darfur, by contrast, is a remediable agony, where inaction mocks the UN's recently adopted **responsibility to protect** endangered communities. A speedy protection mission in neighbouring Chad would be better than nothing, as would assistance to Somalia. He should use his bully pulpit, next, on the new UN Human Rights Council, which is working no better than its discredited predecessor. When the UN fails in these two areas, humanitarian help and human rights, it fails the peoples that it is pledged to serve. By shedding a clearer light on the UN itself, the new Moon will win allies to the global cause.

Full text available at: <http://www.timesonline.co.uk/article/0,,542-2533398,00.html>

3. MISSION IMPOSSIBLE

The Economist

4 January 2007

As Ban Ki-moon takes charge at the United Nations, we look at the prospects for this troubled body and for its peacekeeping efforts round the world

ANY new job brings challenges: but none quite like those facing Ban Ki-moon, the quiet Korean who has just become the UN's new secretary-general. Rising nuclear demons in Iran and North

Korea, a haemorrhaging wound in Darfur, unending violence in the Middle East, looming environmental disaster, escalating international terrorism, the proliferation of weapons of mass destruction, the spread of HIV/AIDS.

() Some see the gulf between rich and poor countries as the single most important issue confronting the UN. It is paralysing vital proliferation talks and blocking badly needed reforms. The G77 now sees everything through the distorting lens of the North-South divide. UN management reform? An attempt by rich white countries to gain even more influence over a secretariat already dominated by the North. Greater powers for the secretary-general? A bid to reduce his accountability to the General Assembly, one of the few UN bodies where the developing countries have a controlling voice. The replacement of the assembly's principle of "one country, one vote" by a system of weighted voting based on the size of a country's contributions to the UN? Another attempt at a power-grab by the North. The newly adopted "**responsibility to protect**

" victims of genocide and other atrocities? Hypocritical northerners claiming the right to meddle in the domestic affairs of the South. Even proposals to expand Security Council membership to include more developing countries, which might have been expected to attract G77 support, are opposed on the ground that these would simply strengthen a body that, whatever happens, will remain dominated by four white veto-wielding northerners, plus China.

()Much else, too, remained undone or unfinished on Mr Annan's watch. The long-awaited reform of the Security Council has been pushed once again onto the back burner. The new Human Rights Council is almost as ineffectual as its discredited predecessor, and is equally stuffed with flagrant human-rights violators. Under Mr Annan, the UN proclaimed a new high-minded "**responsibility to protect**"; but in Darfur the raping and killing continue unabated. The search for a definition of terrorism has been abandoned; management reform has been blocked. But Mr Annan is not solely, or even chiefly, responsible for these failures. As Mr Bolton himself conceded before stepping down last month, "While it is easy to blame the UN as an institution for some of the problems we confront today, we must recognise that ultimately it is member states that must take action and therefore bear the responsibility."

()Almost since its inception, the UN has been charged with failing to live up to its original high ideals. But big changes in world governance seem possible only after great global upheavals. At other times, the world has to be content with small incremental steps. The UN's new secretary-general, eager to find consensus, might be rather good at those ().

Full text available at: http://www.economist.com/world/displaystory.cfm?story_id=8490176

R2P and Darfur

DARFUR AND THE INTERNATIONAL ABANDONMENT OF A RESPONSIBILITY TO PROTECT
By Eric Reeves
4 January 2007

How the UN and Western powers conferred veto power upon Khartoum's regime of genocidaires:

the grim path from UN Security Council Resolution 1706 (August 31, 2006) to the present fig-leaf hybrid operation

() **THE RESPONSIBILITY TO PROTECT**r Darfur represents the defining moment for what has been described by many as an emerging international legal norm of a responsibility to protect civilians whose governments refuse to provide them such protection. During the September (2005) UN World Summit, all member states declared in the Summit outcome document that they were,

"prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the UN Charter, including Chapter VII, on a case by case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law." (UN World Summit outcome document, Paragraph 139)

UN Security Council Resolution 1674 (unanimously passed in April 2006) reaffirms the provisions of paragraphs 138 and 139 of the World Summit Outcome Document regarding the **r responsibility to protect**

populations from genocide, war crimes, ethnic cleansing and crimes against humanity.r And yet by all accounts, the civilians in Darfur continue to be victims of precisely these crimes, with overwhelming responsibility---established beyond any reasonable doubt---belonging directly to the Khartoum regime and its proxy forces.

Some 500,000 Darfuris have died since the outbreak of major violence in February 2003, now almost four years ago (see my mortality analysis of April 29, 2006 at <http://www.sudanreeves.org/Article102.html>). Hundreds of thousands of additional lives will almost certainly be lost in the coming months without the deployment of a very substantial international force to Darfur. Without intervention, genocidal destruction will continue before the eyes of the world, an unsurpassably grim spectacle of impotence and hideous human destruction. ()

he **responsibility to protect**---as embodied in Paragraph 139 of the UN World Summit outcome document (and re-affirmed with passage of UN Security Council in Resolution 1674)---was explicitly framed so as to supersede claims of national sovereignty such as the National Islamic Front regime in Khartoum continues to assert. How is it, then, that the robust force authorized by UN Security Council Resolution 1706 (August 31, 2006) has, four months later, devolved into a slow-motion deployment of a handful of UN personnel, who by themselves cannot begin to effect a significant change in the security dynamic in Darfur? How is it that the follow-on deployment of a large number of troops and civilian police has been allowed to be held hostage to a ripartite Commission that includes not only the UN and the AU, but the Khartoum regime? How is it that the international community, in seeking to halt genocide in Darfur, has effectively granted veto-power to Khartoum's genocidaires? By what conceivable logic can any observer surmise that the regimes motives in sitting on such a commission will be any but obstructionist?

() Clearly the ground is being laid for a further refusal of UN or even a substantial number of AU troops into Darfur; Khartoum will simply claim to have deployed sufficient forces itself. Indeed, we catch a clear hint of this method of forestalling meaningful deployment of international forces in al-Bashir's more recent (December 23, 2006) letter to Annan, in which he declares:

It is also worth mentioning that 90% of crimes and looting in Darfur is committed by loose banditry groups. As a legitimate authority with **responsibility to protect** the civilian population

and maintain law and order in the country, it is only natural that the Government [of Sudan] undertakes the appropriate measures to contain the situation. r () Neither the emand nor the ommitments have meant anything. Seeing such lack of determination, such purely hortatory behavior, Khartoum inevitably draws the appropriate conclusion: there is no international **responsibility to protect**

civilians except in the convenience of irrelevant and self-congratulatory documents.

() Despite manifest bad faith on Khartoums part; despite the regimes willingness to sustain enocide by attrition as a means of retaining political power; despite the abysmal record of non-compliance with UN demands and agreements secured, the National Islamic Front security cabal continues to be treated as a legitimate and acceptable interlocutor in negotiations concerning the fate of Darfurs people. Assured of such expedient and cowardly deference, the NIF has no incentive to change its ways.

2007 gives all signs of being the most destructive year to date in the Darfur genocide.

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Full text available at: <http://www.sudantribune.com/spip.php?article19562>